

## AUCTIONEERS BOARD MEETING

### MINUTES

The Virginia Auctioneers Board met on July 6, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

G. Thomas Garten  
Mark T. Motley  
Amy Pence  
James H. Perkinson  
Erlita Joanne Wang

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Karen W. O'Neal, Deputy Director of Licensing and Regulation Division  
Mark N. Courtney, Executive Director  
Marian H. Brooks, Board Administrator  
Earlyne Perkins, Legal Analyst  
Michelle Gowen, Administrative Assistant

No representative of the Office of the Attorney General was present for the meeting.

Finding a quorum of the Board present, Mr. Perkinson, Chair, called the meeting to order at 10:02 a.m.

#### **Call to Order**

Mr. Motley moved to approve the agenda. Ms. Wang seconded the motion which was unanimously approved by members: Garten, Motley, Pence, Perkinson, and Wang.

#### **Approval of Agenda**

Mr. Motley moved to approve the minutes from the April 13, 2006, Board meeting. Ms. Pence seconded the motion which was unanimously approved by members: Garten, Motley, Pence, Perkinson, and Wang.

#### **Approval of Minutes**

Ms. Wang moved to approve the minutes from the June 12, 2006, Informal Fact-Finding Conference as amended. Mr. Motley seconded the motion which was unanimously approved by members: Garten, Motley, Pence, Perkinson, and Wang.

**Public Comment Period** – No comments were made to the Board members.

#### **Public Comment**

Regarding **File Number 2006-01109, Lynn H. Sheckler**, the Board members reviewed the record of the Informal Fact-Finding Conference,

#### **File Number 2006-01109, Lynn H.**

which consisted of the investigative file, transcripts and exhibits, and Summary of the Informal Fact-Finding Conference by the presiding Board member, as well as the letter submitted by Ms. Sheckler and the Consent Order as seen and agreed to by Ms. Sheckler. Mr. Motley moved to accept the Consent Order which cites the following violations of the Board's 2002 regulations: 18 VAC 25-21-140 (Count 1); 18 VAC 25-21-150.E (Count 2); 18 VAC 25-21.150.E (Count 3); 18 VAC 25-21-160(Count 4); and 18 VAC 25-21-180 (Count 5). For these violations Ms. Sheckler agrees to the revocation of her auctioneers license and \$500 in Board costs. Mr. Garten seconded the motion which was unanimously approved by members: Garten, Motley, Pence, Perkinson, and Wang.

**Sheckler**

After reviewing the application and discussion, Ms. Wang moved to accept the Agreement for Licensure as written. Mr. Motley seconded the motion which was unanimously approved by members: Garten, Motley, Pence, Perkinson, and Wang.

**Keith Pierce –  
Agreement for  
Licensure**

Ms. Brooks informed the Board members that the proposed regulations were returned to the Governor's office on February 16, 2006, and are currently under review for approval.

**Update on Continuing  
Education  
Regulations**

Ms. Brooks updated the Board members on the Auctioneers Board Regulations.

**Update on General  
Review of Regulations**

The Board members were provided with a handout containing three different fee decrease recommendations and corresponding financial analysis. After discussion, Mr. Motley moved that the Board accept proposal A. Mr. Garten seconded the motion which was unanimously approved by members: Garten, Motley, Pence, Perkinson, and Wang.

**Discussion on Fee  
Structure Analysis**

The Board members were provided with the May 2006 financial statements for informational purposes.

**Review Financial  
Statements**

Ms. Brooks requested that the Board members submit any information they would like included in the next edition of *Auction Digest*. The Board members will receive a draft of the upcoming edition before the next meeting in October.

**Other Business**

Ms. Brooks informed the Board members that elections will be held at their next meeting in October once the Department has received Mr. Perkinson's re-appointment information. The Board will also adopt the 2007 meeting dates at the upcoming meeting.

Mr. Courtney provided the Board members with an overview of the Department's website. He also went over items that have been included in

past newsletters for informational purposes.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 11:08 a.m.

**Adjourn**

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J. Hartwell Perkinson, Chair

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Jay W. DeBoer, Secretary